

REMARKS:

At the time of the Office Action, claims 1-9, 11-16 and 21-23 were pending. An Amendment was filed on September 30, 2005. However, the Examiner issued a Notice of Non-Compliant Amendment on December 7, 2005, indicating that claims 22 and 23 should be listed as withdrawn. The undersigned explained to the Examiner in a telephone conference on December 12, 2005 that claim 21 is generic and if allowed, claims 22 and 23 would be allowable as well. The Examiner assured the undersigned that if a generic claim is allowable, any withdrawn claims depending on such a generic claim would be given consideration. Accordingly, the Examiner requested the undersigned to resubmit the Amendment of September 30, 2005 and indicate claims 22 and 23 as being withdrawn. This communication responds to the Examiner's request.

Claims 9 and 11-16 stand allowed and claims 1-8 and 21 were rejected in the Office Action of July 14, 2005. Pursuant to this Amendment, claims 1 and 21 have been amended. Claims 1-9, 11-16 and 21-23 remain pending in the subject application.

Claim 1 has been amended to address the objection raised by the Examiner. Removal of the objection is respectfully requested.

Claims 1-8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Antonucci et al. (U.S. Patent No. 6,119,306). Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. 102(b) as being anticipated by Popsys (U.S. Patent No. 5,496,141). Claim 21 stands rejected under 35 U.S.C. 102(b) as being anticipated by Gieling et al. (U.S. Patent No. 5,144,780). Claims 1-3, 5 and 8 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kwilosz (U.S. Patent No. 6,799,931). These rejections are traversed for at least the following reasons.

Without agreeing with the Examiner as to what is or is not taught by the art of record, claims 1 and 21 have been amended to more clearly define what it is the Applicants regards as their invention. Claim 1 has been amended to recite that the

aperture in the sidewall of the bar extends completely therethrough and the projecting member of the flexible extension member extends through the aperture. Claim 21 has been amended to recite a single flexible member, such that the aperture engaging member of the single flexible member operatively engages an aperture in a sidewall of the bar to secure the bar to the trashcan. Claim 21 has been further amended to recite that the plug is configured in such a way that a portion of the plug on a side thereof directly opposite the single flexible member mates with the interior wall of the bar that is directly opposite the aperture in the sidewall of the bar that receives the aperture engaging member of the single flexible member. None of the cited references teach or suggest the limitations now recited in amended claims 1 and 21. For at least these reasons, claims 1 and 21 are allowable.

Claims 2-8 depend from claim 1, and, therefore, are allowable for the same reasons applied thereto, as well as for the additional subject matter recited therein.

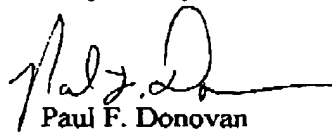
Claims 22 and 23 were withdrawn from consideration as being directed towards a nonelected species. Since claim 21 is generic, claims 22 and 23 are allowable for the same reasons applied thereto, as well as for the additional subject matter recited therein.

No new matter has been added by way of the remarks made herein. Allowance of all the pending claims is respectfully requested. In the event that there are any remaining issues that need to be addressed, the Examiner is invited to telephone the undersigned at the number indicated below.

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Respectfully submitted,


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